

## Newstead Town Board Meeting- January 24, 2022

A public hearing was called to order by the Newstead Town Board on Monday, January 24, 2022 at 7:40pm at the Newstead Town Hall.

Present: David Cummings- Supervisor  
John Jendrowski- Councilman  
Joseph Dugan- Councilman  
Edmund Burke- Councilman  
Patricia Pope- Councilwoman  
Emily Janicz - Town Attorney  
Scott Rybarczyk- Town Engineer  
Mike Bassanello- Highway Superintendent  
Dawn Izydorzak- Town Clerk

Roll Call was taken with all board members present.

The Supervisor called the **public hearing** to order on the proposed project at 13311 Main Rd by owner Newstead Properties, LLC for a tow track & controlled crash facility on 66 acres in the I-1 zoning district at 7:40pm

The Town Clerk read proof of publication. The Supervisor explained this project has been thoroughly reviewed by the Planning Board, the Code Enforcement Officer and Wendel and recommended for approval to the Board. The actual amount of acreage to be disturbed is 6 acres. Supervisor Cummings stated this will not be acted on tonight as the 30-day period for comments is still open. The Board will address at their February 14<sup>th</sup> meeting. The board briefly discussed the project.

Comments: no one from the public was in attendance

There being no further comments, a motion was made by Councilman Dugan, seconded by Councilman Jendrowski to close the public hearing at 7:45pm.

The **regular meeting** of the Newstead Town Board was called to order at 7:45pm with the same members present as listed above.

Councilman Burke led the pledge to the flag.

Minutes from the regular meeting held on January 10, 2022 were presented for approval. A motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve as presented.  
Carried Unanimously

**Agenda Changes** – A motion was made by Councilman Dugan, seconded by Councilman Jendrowski to approve the following agenda changes: delete resolution A. and add motion F. approving the highway truck order  
Carried Unanimously

**Communications** – The Town Clerk presented the following correspondence: none

**Work Session:** The Supervisor reported that no work session was held last week due to the holiday, but the following items were discussed prior to tonight's meeting: water/sewer and culvert project updates, planning items, building issue updates, grant updates, gas well, plus any other items brought before the Board.

**Agenda Items Question Period:** no one spoke

**Budget transfers:** a motion was made by Councilman Dugan, seconded by Councilwoman Pope to approve the budget transfer(s) as presented in a memo from Bookkeeper Colleen Salmon dated 1/24/22 for 2021 and for 2022.  
Carried Unanimously

**Approval of Bills** – Councilwoman Pope reported that the Abstract(s) from Batch(es) #2200 for 2021 & 2201 for 2022 have been reviewed with the previously un-audited vouchers and everything

was found in order. Abstract Batch(es) #2202 for 2021 and #2206 for 2022 were presented for payment. Vouchers on this abstract(s) numbered 1443- 1462 for 2021 and 21-45 for 2022, totaling \$121,293.76. Councilman Burke seconded to approve payment as follows:

Abstract Batch(es) #2202 for 2021 & 2206 for 2022:

General Fund (A)-\$101,516.06, General Fund- Outside Village (B)-\$777.42, Highway (DA) -\$0, Highway: Outside Village (DB)-\$9,340.12, CAP-Multicultural Ctr (HMCC)- \$0, CAP-Water-Scotland (HS)-\$0, CAP-Water-Koepsel (HW)-\$0, CAP-Water-Draper (HW01)-\$0, CAP-Water-Cedar (HW02)-\$0, CAP-Water-Knapp (HW03)- \$8,287.47, CAP-Bike Path (HTG)-\$0, Drainage (SD)-\$1,196.33, Fire Protection (SF)-\$0, Refuse (SR)-\$18.20, Sewer #1 Fund (SS)-\$30.58, Sewer District #2 (SS02)-\$79.73, Sewer District #3 (SS03)-\$0, Trust & Agency(TA)-\$0 and Consolidated Water (SW00)-\$47.85, WD1(SW1)- \$0, WD2(SW2)- \$0, WD3(SW3)- \$0, WD4(SW4)- \$0, WD5(SW5)- \$0, WD6(SW6)- \$0, WD7(SW7)- \$0, WD7A(SW7A)- \$0, WD8(SW8)- \$0, WD9(SW9)- \$0, WD10(SW10)- \$0; Total:\$121,293.76 Carried Unanimously

**COMMITTEE AND DEPARTMENT HEAD REPORTS:**

**Highway** – a report was presented from the Highway Supt thanking the Village for help on the broken forced main and for changing the streetlight bulbs at the library parking lot. The crew pushed up salt in the barn, went out to plow and salt many times, fixed mailboxes and delivered recycling totes, picked trees out of field ditches and pushed banks back with the loader.

**Assessor** – a report was presented by Tina and read by the Supervisor stating that she will be running reports tomorrow to see who has not filed their exemptions yet and then reminder notices will be sent the last day of the month.

**Building Office** – the following building report was presented by Christine Falkowski of the Planning & Building Department:

James Tartaglia	5849 Davison	Windows
Carl Carothers	5684 Barnum	Generator
Charles Hibscheiler	12191 Rapids	Generator

The Town Board accepted the building report as presented.

**Town Clerk**- nothing at this time

**Town Attorney(s)** – nothing at this time

**COUNCILPERSONS:**

**Jendrowski**-he attended the library board meeting where he presented a 20-year service plaque to Sue Brown and a 5-year service plaque to Tara Middaugh. He thanked them for their dedicated service to the library and the town. He met with Sandy to perform the court audit for 2021 and thanked Sandy for keeping impeccable records. He met with Chris bower on the condition of the DCO truck and its prognosis. He thanked the village for their help in snowplowing out the library during the snowstorm.

**Dugan** – he spoke with Newstead Fire Company President Louis Henley several times about the LOSAP program issues.

**Burke** – nothing at this time

**Pope**- she attended a seminar on American Rescue Plan funding final rules.

**Supervisor**- the December Supervisor’s report is on file with the Town Clerk. He also addressed grant items and budget items.

**UNFINISHED BUSINESS:**

**Buildings-** John spoke with Ross at NuPipe and we are still waiting on the sprinkler inspection results from Johnson Controls. The library sidewalk is operating very well and handled the snowstorm with no problems. The gutter doesn't seem to be leaking anymore and he asked Mike if he could help out with repairs to the ramp leading into the storage shed at the library. Mike said yes.

**Planning-** Steve reported there is not much new with the NextEra project, and he is working on the culvert issue on Havens Rd with Mike.

**Water/Sewer-** Scott continues to work with the Supervisor on the EFC issues.

**Grants-** Scott mentioned a new DEC grant to the board that was just released that is a 90%/10% funding source for the town to purchase forest lands of over 10 acres for preservation.

**NEW BUSINESS:**

**Approval- Bids on HVAC work at Senior Center:**

A motion was made by Councilman Dugan, seconded by Councilman Jendrowski authorizing and directing the Town Clerk to advertise for bids for the improvements to the HVAC system at the Senior Center with bids to be received Friday, February 25, 2022 no later than 2:00pm.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-Aye  
Carried Unanimously

**Approval- Justice Court Audit for 2021:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the Justice Court audit as performed and submitted by Councilman John Jendrowski on the 2021 records of the Newstead Court and authorizing the Town Clerk to send a copy of the audit to the NYS Office of Court Administration.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-Aye  
Carried Unanimously

**Approval- Insurance Proposal for 2022:**

A motion was made by Councilman Jendrowski, seconded by Councilman Dugan approving the proposal as submitted by Trident Insurance Brokerage for coverage on town owned properties for 2/1/2022-1/31/2023 and authorizing the Supervisor to sign the necessary forms and make payments required.

(Resolution) Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-Aye  
Carried Unanimously

**Approval- Cancel optional Work Session for January 31st:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope approving the cancellation of the optional work session scheduled for January 31, 2022.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-Aye Carried Unanimously

**Approval- Execute Quote with Fleet Maintenance Inc:**

A motion was made by Councilman Burke, seconded by Councilwoman Pope authorizing Highway Superintendent Mike Bassanello to sign the quote acceptance with Fleet Maintenance Inc dated January 18, 2022 to order a Freightliner 114SD Truck Cab & Chassis at a total quoted cost of \$134,590.00.

Cummings-Aye, Dugan-Aye, Burke-Aye, Jendrowski-Aye, Pope-Aye Carried Unanimously

**Privilege of the Floor/Question Period:** The following statement was read by Councilwoman Pope: I urge the Town to enact an ordinance re: the construction of small cell antennas in the Town. We would not be prohibiting 5G in accordance with the law, but we can enact provisions protecting against the irresponsible placement of antennas. This could minimize the total number of antennas required to obtain coverage and minimize the impact on residential communities. There are no long-term studies showing that the long-term health or environmental effects of this are safe. Why

wouldn't we require that the telecommunications companies document significant effort to place antennas in non-residential areas, and prove that such alternate sites would not result in adequate coverage? Why wouldn't we require that the applicant document a significant gap in service that would be remedied by the proposed installation? Why wouldn't we require them to certify that the FCC RF radiation emission limits apply to all co-located equipment, not just the emission from the small cell antennas. Why wouldn't we put a provision that we are able to hire an independent RF engineer at their expense to conduct random unannounced testing, and provide penalties for violations? Why wouldn't we charge them for using our infrastructure? (The FCC allows \$100 per antenna and \$1000 per new pole.) What if they damage our infrastructure during installation? In fact, the Association of Towns has recommended that we enact such provisions. If we fail to do so, we give up all control to the telecommunications industry.

Supervisor Cummings stated they will put this item on their next work session to discuss and asked her to share he statement with the board members.

There being no further business to come before the board for the regular meeting, a motion was made by Councilman Burke, seconded by Councilwoman Pope to adjourn the regular meeting at 8:06pm. Carried Unanimously

Respectfully Submitted,  
Dawn D. Izydorczak, RMC, Town Clerk